

### **REMARKS/ARGUMENTS**

Claims 14-28 are pending in the application. Claims 14-28 stand rejected. Claims 14-28 have been objected to. Claims 1-13 were previously cancelled. By this response, claims 14-16, 27 and 28 have been amended. The Abstract and paragraph [0006] have also been amended. No new matter has been introduced into the application. As explained in more detail below, Applicants submit that all claims are in condition for allowance and respectfully request such action.

### **Information Disclosure Statement**

The listing of references FR 2483965 and AP-B-0716165 were indicated to not have been considered due to not being submitted in an Information Disclosure Statement. Reference FR 2483965 corresponds to US Patent No. 4,377,452, which has been included in a Supplemental Information Disclosure Statement filed concurrently with this response. Reference AP-B-0716165 includes a typo, and should have been identified as reference EP-B-0716165. Accordingly, paragraph [0006], which discloses the document, has been amended herein to instead recite "EP-B-0716165." Reference EP-B-0716165, with an English translation of its Abstract, has also been included in the Supplemental Information Disclosure Statement filed with this response.

### **Drawings**

The Drawings were objected to as not showing every feature of the invention specified in the claims, specifically an axial translation device that is connected to the driving shaft. In response, the axial translation device element has been deleted from claims 14 and 27, rendering the objection moot.

The Drawings were also objected to as including improper solid black shading for the seal, for having no reference numbers at the ends of the broken line of the plane in Figure 2 and for having some reference characters improperly oriented. A replacement sheet including

Figures 1 and 2 has been attached to this response, in which the objected matters have been corrected.

### **Specification**

The Abstract was objected to for including improper language, such as phrases which could be implied. In response, the Abstract has been amended to delete the phrases which could be implied.

### **Claim Objections**

Claims 14, 16-19, 27 and 28 were objected to due to informalities regarding reference characters not enclosed within parentheses. The Applicant respectfully disagrees. MPEP 608.01(m) states that “[t]he use of reference characters is to be considered having no effect on the scope of the claims.” In contrast, the height, diameter and width characters of the instant claims do affect the scope of the claims, thus they cannot be considered to be reference characters. The characters H1, H2, H0, C, H3, ØG, H4, J1, J2 and J4 correspond to designated heights, diameters or widths. For example, there are five different axial heights H0, H1, H2, H3, and H4 and each represents a different height. In other words, the use of H1 and H2, for example, is equivalent to stating a *first* axial height and a *second* axial height. Each of the heights affects claim scope. Some of the characters are also used in equations such as  $H0 - \epsilon$  in claim 16, also demonstrating the effect on the claim scope. Hence the use of characters is important to the meaning and understanding of the claims, and therefore should not be enclosed in parentheses. The Applicant respectfully requests reconsideration and withdrawal of all the objections.

### **Claim Rejections – 35 USC § 112**

Claims 14-28 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The rejection contends that it is unclear, in claims 14, 27 and 28, whether the “driven shaft” and the “driving shaft” are the same coaxial shafts that are recited in the preamble. Claim 14 has been amended to clarify that the driven shaft and the driving shaft are indeed the same coaxial shafts. Claim 14 has been amended to recite, in part, “a driven shaft

approximately coaxial with the driving shaft, the driven shaft having an end comprising an annular groove proximate to an axial end extension of axial height H2.” This amendment is supported at least by paragraph [0013] of the specification and no new matter has been added.

The rejection further contends that the recitation of “elastic conducting means” lacks function and is unclear. Claim 14 has been amended to delete the term “elastic,” rendering the rejection moot. Claims 27 and 28 have been amended to now depend from claim 14, and no longer contain the language regarding the coaxial shafts or elastic conducting means. Claims 15-26 depend from claim 14 and, like amended claim 14, are not indefinite.

### **Double Patenting Rejection**

Claims 27 and 28 were objected to under 37 CFR 1.75 as being substantial duplicates of claim 14. In response, claims 27 and 28 have been amended to depend from claim 14 and to delete the preambles and the features that were substantially the same as those of claim 14. The rejection is respectfully requested to be withdrawn.

### **Allowable Subject Matter**

The Applicant would like to express appreciation for the indication that claims 14-26 would be allowable if rewritten or amended to overcome the rejections under 35 USC 112, 2<sup>nd</sup> paragraph.

### **CONCLUSION**

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

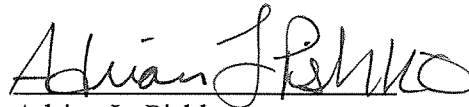
Applicant believes there is no fee due in association with the filing of this response, however, should there be any fees due the Commissioner is hereby authorized to charge any such fees or credit any overpayment of fees to Deposit Account No. 19-0733.

Respectfully submitted,

**BANNER & WITCOFF, LTD.**

Dated: December 4, 2007

By:

A handwritten signature in black ink, appearing to read "Adrian L. Pishko", written over a horizontal line.

Adrian L. Pishko

Reg. No. 57,800

BANNER & WITCOFF, LTD.  
10 South Wacker Drive  
Suite 3000  
Chicago, IL 60606  
Tel: (312) 463-5000  
Fax: (312) 463-5001